

Title 40. Clark County, Washington, Unified Development Code (UDC)

SUBTITLE 40.1 INTRODUCTION AND ADMINISTRATION

40.100 GENERAL PROVISIONS

40.100.010 INTRODUCTION

- A. Title. Title 40 of the Clark County Code (CCC) constitutes and may be cited as the Unified Development Code (UDC).
- B. Purpose. In order to improve public service and efficiency, the county has adopted the UDC, which consolidates the county's development-related codes into a single document. The UDC applies to all of unincorporated Clark County and includes:
1. Land use zoning districts and use regulations;
 2. Development standards for signs, landscaping and screening , parking and loading, transportation and circulation, stormwater, sanitary sewer, and water;
 3. Standards for the protection of critical areas;
 4. Procedures for the development and division of land, amendment of the code, and processing under the State Environmental Policy Act (SEPA); and
 5. Impact fees.
- C. Organization. The text of the UDC is organized as follows:
1. Title. The UDC in its entirety is Title 40 of the Clark County Code.
 2. Subtitles. Subtitles, which are numbered as 40.#, establish the major categories and start new chapter number series.
 3. Chapters. Chapters are numbered as 40.###, with the second group of numbers representing the chapter number, the first digit of which is the subtitle number.
 4. Sections. Sections are numbered as 40.###.###, with the second group of numbers representing the chapter number and the third group of numbers representing the section number.
 5. Subsections. Subsections levels are indicated by alphanumeric characters in the following hierarchy: A, 1, a, (1), (a), (i) and [a].

40.100.020 COMPLIANCE

No development shall occur nor shall any building or other structure be constructed, improved, altered, enlarged or moved; nor shall any use or occupancy of premises within the county be commenced or changed; nor shall any condition of or upon real property be caused or maintained, after the effective date of the UDC, except in conformity with conditions established hereunder. It is unlawful for any person, firm or corporation to erect, construct, establish, move into, alter, enlarge, use or cause to be used, any buildings, structures, improvements or use of premises contrary to the provisions of this title. Where the UDC imposes greater restrictions than those imposed or required by other rules, regulations or ordinances, the provisions of the UDC shall control.

40.100.030 SEVERABILITY AND VALIDITY

If it should be found by a court of competent jurisdiction that any portion of the UDC, including text and maps adopted hereby, does not qualify under the authority of RCW 35.63, such finding shall not affect the validity of the remainder of this title.

If any provision of the UDC, including text and maps adopted hereby, or the application of the provision to any person or circumstances, is held invalid, then the rest of the UDC or the application of the provision to other persons or circumstances, should not be affected.

40.100.040 REPEALER

The adopted UDC shall replace and supersede the following:

- A. Streets and Roads (Chapters 12.05A, 12.06 and 12.41, Clark County Code).
- B. Public Works (Chapters 13.04, 13.08A, 13.29, 13.36, 13.40A, 13.51, 13.55, 13.60, and 13.70, Clark County Code).
- C. Land Division Ordinance (Title 17, Clark County Code).
- D. Zoning (Title 18, Clark County Code).
- E. Clark County Environmental Policy Ordinance (Title 20, Clark County Code).

40.100.050 AUTHORITY

- A. Designation of responsible official.
 1. Unless otherwise noted, the director of the Community Development Department (“director”) or the director’s designee shall be the responsible official and shall interpret and apply the provisions of the UDC.
 2. Where noted in the UDC, the County Engineer shall interpret and apply the provisions of the UDC relating to transportation and circulation facilities.
 3. Where noted in the UDC, the County Public Works director shall interpret and apply the provisions of the UDC relating to water and sewer facilities.
 4. The Clark County Building Official shall interpret and apply the provisions of Title 14.
- B. Responsible official authority. Unless otherwise noted, it shall be the responsibility of the responsible official to interpret and apply the provisions of the UDC. An interpretation shall be subject to appeal pursuant to Subtitle 40.5. The responsible official’s response shall be in writing and kept on permanent file.

40.100.060 ENFORCEMENT

It shall be the duty of the responsible official to determine the applicability of the UDC for enforcement purposes. All departments, officials and public employees of the county vested with the duty or authority to issue permits, shall conform to the provisions of the UDC and shall issue no permit, certificate or license for any use, building or purpose which violates or fails to comply with conditions or standards imposed by the UDC. Any permit, certificate or license issued in conflict with the provisions of the UDC, intentionally or otherwise, shall be void. The responsible official shall be responsible for carrying out the enforcement provisions of Title 32 of the Clark County Code, at such time as a violation has been determined under the provisions of Title 32.

40.100.070 DEFINITIONS

Unless the context clearly requires otherwise, the definitions in this section shall apply to terms in this title. In addition to definitions provided below, there are chapter- or section-specific definitions in the following sections:

- 40.240.060 Columbia River Gorge National Scenic Area Districts;
- 40.250.010 Airport Environs Overlay Districts (AE-1, AE-2);
- 40.250.030 Historic Preservation;
- 40.260.110 Residential Infill;
- 40.260.240 Wireless Communications Facilities;
- 40.310.010 Sign Standards;
- 40.550.030 Master Planned Development;
- 40.560.030 Amendments Docket;
- 40.570 State Environmental Policy Act (SEPA); and
- 40.600.030 Impact Fees.

Above Ground Storage Tanks	"Above Ground storage tank" means any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which is which is ninety percent or more above the surface of ground.
Abutting	"Abutting" means sharing a common boundary line; except that where two (2) or more lots share a common boundary line only at a corner or corners, they shall not be considered as abutting unless the common boundary line between the two (2) parcels measures not less than eight (8) feet in a single direction.
Access	"Access" means the place, means, or way by which pedestrians or vehicles shall have safe, adequate and usable ingress and egress to a property or use, as required by this title.
Accessway	"Accessway" means a public facility shared by pedestrians and bicyclists.
Access roads	"Access roads" means any of the urban access roads as defined in Table 40.350.030-4 or any of the rural access roads as defined in Table 40.350.030-5. This term is used to differentiate access roads from arterials and collectors.
Accessory use or structure	"Accessory use" or "accessory structure" means one which is subordinate to the principal use of a building on the lot serving a purpose customarily incidental to the use of the principal building.
Adjacent	"Adjacent" means near, close; for example, an industrial district across the street or highway from a commercial district shall be considered as "adjacent."
Adjoining	"Adjoining" means sharing a common boundary line, including across a public or private right-of-way or easement from the property in question.
Administrative manual	"Administrative manual", when referring to transportation concurrency, means the written documentation adopted by the Public Works director pursuant to Section 40.350.020.
ADT	"ADT" stands for average daily trips.
Affected transportation corridor	"Affected transportation corridor" means any transportation corridor which is reasonably projected to be affected by the transportation related impacts of a proposed development.
Agriculture or Agricultural uses	"Agriculture" or "Agricultural uses" means the use of the land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and wineries, apiaries, and animal and poultry husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities, and provided further, that the above uses shall not include slaughter houses and meat packing or commercial feeding of animals.
Alley	"Alley" means a right-of-way not over thirty (30) feet wide which affords, generally, a secondary means of vehicular access to abutting lots, and is not intended for general use.
All-weather driving surface	"All-weather driving surface" means any road or driveway surface that when reasonably maintained will provide all-weather driving capabilities for fire and other emergency vehicle apparatus.
Alteration, structural	"Structural alteration" means any change or repair which would tend to prolong the life of the supporting members of a building or structure. Any change in the external dimensions of the building is a structural alteration.
Altered	"Altered," when referring to wetlands, means a wetland of which at least fifty percent (50%) has been graded, drained, devegetated, or replanted with non-wetland plants.
Ambulance dispatch facility	"Ambulance dispatch facility" means a public or private structure used to house a crew and ambulance to be dispatched from a central ambulance service facility located elsewhere. The structure is selected based on its location to serve a specific area of the county with a quick response time.
Ambulance service facility	"Ambulance service facility" means a public or private structure used to house ambulance service administrative personnel, equipment and supply storage, and repair and radio dispatch equipment. This facility may also include an ambulance dispatch facility.
Amusement center	"Amusement center" means a permanent development containing a single or multiple indoor or outdoor amusements such as batting cages, video arcades, go-cart tracks,

	bumper cars or amusement rides. Traveling carnivals and circuses shall not be considered amusement centers.
Anadromous	"Anadromous" means fish that migrate up rivers and streams from the ocean to breed in fresh water.
Animal hospital or veterinary clinic	"Animal hospital" or "veterinary clinic" means a place where animals or pets are given medical or surgical treatment, and are cared for during the time of such treatment.
Applicant	"Applicant" means the person, party, firm, corporation, legal entity, or agent thereof who submits an application for an activity regulated by this title.
Aquifer	"Aquifer" means a groundwater-bearing geologic formation or formations that contain enough saturated permeable material to yield significant quantities of water to wells or springs (source: WAC 173-100).
Archaeological site	"Archaeological site" means a site containing significant physical evidence or ruins of human occupation or activity that are located on or below the surface of the ground and are at least one hundred (100) years old. Archaeological resources on these sites include, but are not limited to, the remains of houses, villages, camp and fishing sites, and cave shelters; rock art such as petroglyphs and pictographs; artifacts such as arrowheads, utensils, tools, fragments of tools and utensils, obsidian flakes or other material by-products from tool and utensil-making activities; and graves, human remains, and associated artifacts.
Area of special flood hazard, or flood hazard area	"Area of special flood hazard" or "flood hazard area" means the land in the floodplain subject to the base flood.
Arterial	"Arterial" means any urban parkway arterial, urban principal arterial, or urban minor arterial, as defined in Table 40.350.030-2. This term is used to differentiate arterials from collectors and access roads.
Arterial atlas	"Arterial atlas" means the current Clark County Arterial Atlas as adopted by the board, or hereafter amended.
Athletic, health and racket clubs	"Athletic, health and racket clubs" means a place of business where clients are charged to engage in physical activities including aerobics, racket sports, weightlifting, etc.
Base flood	"Base flood" means the flood having a one-percent (1%) chance of being equaled or exceeded in any given year and is also referred to as the "100-year flood."
Base flood elevation	"Base flood elevation" means the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
Base zone	"Base zone" means the primary district applicable to a parcel of property irrespective of any overlay district.
Basin	"Basin" means a watershed.
Basin plan	"Basin plan" means a stormwater management plan adopted by the board and meeting the requirements of RCW 36.94.
Best management practices (BMPs)	"Best management practices" or "BMPs" means those physical, structural and managerial practices, and prohibitions of practices, that, when used singly or in combination, <ul style="list-style-type: none"> a. prevent or reduce erosion, or b. control stormwater runoff peak flow rates and volumes, and c. prevent or reduce pollution of surface water or groundwater.
Best Management Practices (BMP) manuals	"BMP manuals" mean: <ul style="list-style-type: none"> • Stormwater Management Manual for the Puget Sound Basin, (Washington Department of Ecology, February 1992); • Stormwater Facility Maintenance Manual (Clark County Public Works, July 2000); • Stormwater Pollution Control Manual – Best Management Practices for Businesses and Government Agencies (Clark County Environmental Services Division, November 2000); and • Updated errata sheets issued by the director as may be necessary to correct clear and obvious mathematical and technical errors in manual criteria.

Bike lane	"Bike lane" means the bicycle-only portion of a public street or road.
Binding site plan	"Binding site plan" means a site plan which provides an alternative means of dividing land for the sale or lease of commercially- or industrially-zoned property; and placement of manufactured homes or mobile homes on leased sites.
Block	"Block" means an area of land whose boundaries are defined by public or private streets, excluding alleys.
Block length	"Block length" means the distance between intersections with other public or private roads as measured along the near-side right-of-way line.
Block perimeter	"Block perimeter" means the perimeter of a block as measured along the near-side right-of-way lines of public streets or accessway easements, but exclusive of driveways.
Board	"Board" means Board of Commissioners of Clark County, Washington.
Boarding house	"Boarding house" means a building other than a hotel with furnished rooms with no cooking facilities, where for compensation, meals or lodging and meals are provided for four (4) or more persons.
Branch bank	"Branch bank" means a service outlet providing primarily personal banking and related financial services to the general public.
Buffer	"Buffer", when referring to wetlands, means an area that surrounds and protects a wetland from adverse impacts to the functions of a wetland.
Buffer	"Buffer", when referring to geologic hazard areas, means an area surrounding a geologic hazard consisting of naturally occurring or reestablished vegetation and having a width adequate to protect the geologic hazard area.
Building	"Building" means a combination of materials to form a structure that is adapted to a permanent or continued occupancy. It is a structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattel.
Building front	"Building front" means the street-facing elevation(s) of a building.
Building permit	"Building permit" means the permit issued by the county to an applicant for building a structure.
Building setback line	"Building setback line" means a line parallel to the front lot line and passing through the most forward point or plane of the building closest to the front lot line.
Building, height of	"Building height" means the vertical distance from the average contact ground level, after grading, at the front wall of the building to the highest point of the building.
Building, main	"Main building" means a building within which is conducted the principal use permitted on the lot, as provided in the UDC.
Capacity	"Capacity", when referring to vehicular traffic, means a measurement expressed as the maximum number of peak hour vehicle trips that an individual development may generate as defined in Section 40.350.020(M).
Carport	"Carport" means a roof projecting from one (1) side of a building designed to cover, but not enclose, automobile parking spaces.
Church	"Church" means a permanently located building primarily used for religious worship.
Circulation drive	"Circulation drive" means a place, means or way by which pedestrians and vehicles shall have safe, adequate and usable access to and throughout nonresidential development sites. Circulation drives may have the look, feel and function of a street and may also connect to either public or private streets.
Class V stormwater injection well	"Class V injection well" or "Class V stormwater injection well" means a drywell used for collection of stormwater, an infiltration trench or a buried distribution system.
Classes of forest practices	"Classes of forest practices" means the four classifications of forest practice activities described in WAC 222-16-050. The class of forest practice is determined by considering several factors including but not limited to the type of activity proposed (e.g., harvesting, thinning), its scale, the affected environment, and future use of the site.
Clearing	"Clearing" means the act of removing or destroying trees, brush, groundcover or other vegetation, snags or downed logs, or talus features by manual, mechanical, chemical or any other means.
Clearing permit	"Clearing permit" means a permit required for nonexempt clearing of vegetation when no other land use permit specifically authorizes the proposed clearing activity.

Clinic, outpatient	"Clinic, outpatient" means a building or portion of a building containing offices for providing medical, dental, immediate care clinics or psychiatric services not involving overnight housing of patients.
Club	"Club" means an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.
Collector	"Collector" means urban collector as defined in Table 40.350.020-2, and rural major collector and rural minor collector as defined in Table 40.350.020-3. This term is used to differentiate collectors from arterials and access roads.
Commercial access	"Commercial access" means an on-site road providing access to properties zoned for business, commercial, manufacturing or industrial uses.
Commercial off-street parking facilities	"Commercial off-street parking facilities" means a parking area for autos and light trucks not associated or dedicated to any specific use other than parking. Does not include long-term storage of vehicles.
Community Development Director	"Community Development Director" means the director of the Clark County Department of Community Development or the director's authorized designee.
Comprehensive plan	"Comprehensive plan" means the current comprehensive plan for Clark County.
Congregate care facility	"Congregate care facility" means any home or private facility maintained and operated for the care, boarding, housing, and training of six (6) or more handicapped persons who require assistance in taking responsibility for themselves and guidance as necessary in activities of daily living, social and recreational activities and opportunities. A congregate care facility does not provide medical, nursing or social casework services.
Conservation covenant	"Conservation covenant" means a signed and recorded agreement between a property owner and Clark County running with the land and stipulating that certain areas of the property be maintained in a natural state without disturbance to vegetation or other features unless otherwise approved by the county.
Construction	"Construction" means any site-altering activity, including but not limited to grading, utility construction and building construction.
Contiguous lots	"Contiguous lots" means an area of land comprised of two (2) or more abutting lots or parcels.
Contributing drainage area	"Contributing drainage area" means the subject property together with the watershed contributing water runoff to the subject property.
Convalescent, nursing or rest home	"Convalescent, nursing or rest home" means any building or premises in and on which two (2) or more sick, injured, or infirm persons are housed, for a period in excess of twenty-four (24) consecutive hours, and furnished with meals and nursing care for hire.
Conversion option harvest plan (COHP)	"Conversion option harvest plan (COHP)" means a voluntary plan approved by Clark County indicating the limits of harvest areas, road locations, and open space.
County	"County" means Clark County, Washington.
County Engineer	"County Engineer" means the person designated as the County Engineer as prescribed in RCW 36.80.
County road	"County road" means a road opened to and maintained for public travel by Clark County.
Critical aquifer recharge areas (CARAs)	"Critical aquifer recharge areas" or "CARAs" means: Category I is the highest priority critical aquifer recharge area. Category I is the one-year time of travel for Group A water wells shown on the map adopted herein. Category II is the primary critical aquifer recharge area. This area consists of the unconsolidated sedimentary aquifer and the Troutdale gravel aquifer.
Critical areas	"Critical areas" means flood hazard areas, wetlands, habitat conservation areas, critical aquifer recharge areas, and geologic hazard areas as regulated under this title.
Critical facility	"Critical facility", when referring to flood hazards, means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste. Critical facilities shall also include essential public facilities that are typically difficult to site, such

	as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities.
Crown cover	“Crown cover” means the area within the drip line or perimeter of the foliage of a tree.
Dangerous waste	“Dangerous waste” means solid waste designated in WAC 173-303-070 through 173-303-130 as dangerous or extremely hazardous waste. The words “dangerous waste” will refer to the full universe of wastes regulated by WAC 173-303 (including dangerous and extremely hazardous waste).
Day-care center, commercial	“Commercial day-care center” means a building and premises in and on which more than twelve (12) individuals are cared for during some portion of a twenty-four (24) hour period. In no case shall these individuals be housed in the building or on the premises.
Day-care center, family	“Family day-care center” means a dwelling and premises in and on which not more than twelve (12) individuals, not residing in the dwelling nor related to the care provider, are cared for during some portion of a twenty-four (24) hour period in the residence of the person or persons under whose direct care the individuals are placed.
Dedication	“Dedication” means the deliberate appropriation of land by the owner for any general and public uses, reserving to himself no other rights than such as one compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
Demolition waste	“Demolition waste” means largely inert waste, resulting from the demolition or razing of buildings, roads, and other manmade structures. Demolition waste consists of, but is not limited to, concrete, brick, bituminous concrete, wood, masonry, composition roofing and roofing paper, steel, and minor amounts of other metals like copper. Plaster (sheet rock or plaster board) or any other material, other than wood, that is likely to produce gases or a leachate during the decomposition process, and asbestos wastes are not considered to be demolition waste to this regulation (source: WAC 173-304).
Density	“Density”, when referring to residential development, means a ratio comparing the number of dwelling units with land area, and is expressed as the number of residential dwelling units per acre of land in a residential development, including, but not limited to, one (1) house on one (1) lot.
Department	“Department” means any division, subdivision or organizational unit of the county established by ordinance, rule, or order. For the purposes of the UDC, department refers to the Clark County Department of Community Development unless otherwise noted.
Design storm	“Design storm” means the rainfall from a storm of twenty-four (24) hour duration. For example, two- (2) year storm means the two- (2) year, twenty-four (24) hour storm.
Developer	“Developer” means the person, party, firm, corporation, legal entity, or agent thereof who undertakes an activity regulated by this title.
Development	<p>“Development” means any man-made change to improved or unimproved real estate, including but not limited to:</p> <ul style="list-style-type: none"> • Construction, reconstruction, installation or modification of a structure; • Site altering activities including mining, dredging, filling, grading, construction of earthen berms, vegetative clearing, paving, excavation, or drilling operations and improvements for use such as parking; • Commencement of a new use, or the change in existing use of real estate or a structure thereon; or • Land divisions, subdivisions, short plats, site plans, conditional use permits, access to public roads, the establishment or termination of rights of access, and any related activities.
Development application	“Development application” means any application for approval of a development to which the provisions of this title apply.
Development site	“Development site” means the property or portion thereof on which a development activity or redevelopment is proposed.
Diseased tree	“Diseased tree” means a tree that in the opinion of the responsible official or an assigned expert approved by Clark County (such as but not limited to, a professional forester or

	landscape architect), has a strong likelihood of infecting other trees or brush in the area or becoming a hazard as a result of the disease.
Distribution facilities	“Distribution facilities” means facilities where goods are warehoused, sorted and shipped to other locations.
Drainage project	“Drainage project” means the excavation or construction of pipes, culverts, channels, embankments or other flow-altering structures in any stream, stormwater facility or wetland in Clark County.
Drive-in restaurant	“Drive-in restaurant” means a restaurant with facilities allowing take-out foods and beverages without leaving a vehicle. It generally also has the characteristics of a high turnover restaurant.
Driveway	“Driveway” means a privately maintained access to residential, commercial or industrial properties.
Dwelling	“Dwelling” means any building or portion thereof, designed or used as the residence or sleeping place of one (1) or more persons.
Dwelling unit	“Dwelling unit” means one (1) room or a suite of two (2) or more rooms, designed for or used by one (1) family or housekeeping unit for living and sleeping purposes, and having only one (1) kitchen or kitchenette.
Dwelling unit, accessory (ADU)	“Accessory dwelling unit” is an additional, smaller, subordinate dwelling unit on a lot with, or in, an existing or new house.
Dwelling, duplex	“Duplex dwelling” means a building, on a single lot, designed or used for residence purposes by not more than two (2) families, and containing two (2) dwelling units.
Dwelling, multiple-family, or multi-family	“Multiple-family dwelling” means a building or portion thereof designed or used as a residence by three (3) or more families, and containing three (3) or more dwelling units.
Dwelling, single-family	“Single-family dwelling” means a building designed or used for residence purposes by not more than one (1) family, and containing one (1) dwelling unit only. A. “Attached” means sharing common walls. B. “Detached” means physically separated.
Dwelling, townhouse	“Townhouse dwelling” means a form of attached single-family housing where two (2) or more dwelling units share one (1) or more common walls with other dwelling units, and with each dwelling occupying an individually owned parcel of land.
Early notice	“Early notice”, when referring to SEPA, means the county’s response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant’s proposal (determination of nonsignificance (DNS) procedures).
Easement	“Easement” means an interest in land owned by another that entitles its holder to a specific limited use or enjoyment.
Emergent wetland	“Emergent wetland” means a wetland with at least thirty percent (30%) of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.
Employees	“Employees” means all persons, including proprietors, working on the premises during the largest shift at peak season.
Engineer	“Engineer” means an individual licensed by the state of Washington to practice professional engineering who has been retained by the county or others to design roadway, utility or similar improvements.
Enhancement	“Enhancement” means actions performed to improve the condition of an existing degraded wetland or buffer so that the functions provided are of a higher quality.
Erosion hazard area	“Erosion hazard area” means those areas where slopes are greater than fifteen percent (15%).
Event facilities	“Event facilities” means a use that provides facilities for rent for individual events such as weddings, meetings and other similar events.
Exotic	“Exotic”, when referring to plants and animals, means any species of plants or animals that are not native to the watershed.
Extremely hazardous waste	“Extremely hazardous waste” means dangerous wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous.
Eyebrow	“Eyebrow”, when referring to streets and roads, means a partial bulb located adjacent to

	the serving road that provides access to parcels and can serve as a vehicle turnaround.
Facultative plants	“Facultative plants” means plants that are equally likely (thirty-four percent (34%)–sixty-six percent (66%) probability) to occur in wetlands or non-wetlands. Such groupings are more fully defined in the Wetlands Delineation Manual.
Facultative wet plants	“Facultative wet plants” means plants that usually (sixty-seven percent (67%)–ninety-nine percent (99%) probability) occur in wetlands. Such groupings are more fully defined in the Wetlands Delineation Manual.
Family	“Family” means individuals customarily living together as a single housekeeping unit and using common cooking facilities related by genetics, adoption, or marriage, or a group of not more than six unrelated individuals.
Filling station	“Filling station” means a building or lot having pumps and storage tanks where fuel, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only.
Finished product retailer	“Finished product retailer” means a retail outlet primarily for the sale to the general public of products that involve limited fabrication or assembly on site within an entirely enclosed building.
Flood insurance study	“Flood insurance study” means the official report of the Federal Emergency Management Agency that includes flood profiles, floodway limits, floodplain boundary maps, and water surface elevation of the base flood in Clark County.
Floodway	“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
Floodway fringe	“Floodway fringe” means the land between the limits of the floodway and the one hundred (100) year floodplain.
Floor area ratio	“Floor area ratio (FAR)” means the gross floor area of all buildings on a lot divided by the lot area. For example, a FAR of two to one (2:1) means two (2) square feet of floor area for every one (1) square foot of site area.
Floor area, gross	“Gross floor area” means the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls and including halls, stairways, and elevator shafts at each floor level.
Forest land	“Forest land” as defined in the Washington State Forest Practice Act means all land which is capable of supporting a merchantable stand of timber and is not actively used for a use which is incompatible with timber growing.
Forest practices	“Forest practices” means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting or processing timber, as defined in WAC 222-16.
Forest practices application or notification	“Forest practices application or notification” means the application or notification required to be submitted to the Washington Department of Natural Resources for the conduct of forest practices or to Clark County for forest conversions, generally, and, within urban growth areas, the harvesting of timber and road building.
Forested wetland	“Forested wetland” means a wetland with at least thirty percent (30%) of the surface area covered by a canopy of woody obligate, facultative wet, or facultative plants greater than twenty (20) feet in height.
Frontage	“Frontage” means that portion of a parcel of property which abuts a dedicated public street or highway, or private road or driveway approved by the county. Frontage can include courtyards, plazas and other pedestrian areas which accommodate pedestrian activity and limit motorized vehicles.
Frontage road	“Frontage road” means a public or private road providing vehicular access to the boundary of a parcel of real property proposed for development.
Fully complete	“Fully complete” means that a development review application meets the submittal requirements of Subtitle 40.5 of the UDC.
Functional classification system	“Functional classification system” means the adopted hierarchy of roadway use as it relates to volume, speed, regional, area-wide and local characteristics.
Functions	“Functions”, when referring to wetlands, means the beneficial roles served by wetlands including the control of flood waters, maintenance of summer stream flows, filtration of pollutants, recharge of groundwater, and provision of significant habitat areas for fish and

	wildlife.
Garage, detached	“Detached garage” means an accessory building intended and primarily used for the storage of motor vehicles, which is separate from and secondary to the main structure of the occupants.
Garden shed	A “garden shed” is a structure less than one hundred twenty (120) square feet in floor area, designed to house garden tools or other horticultural products. A garden shed shall not be a place of human habitation, nor shall it be supplied with utilities such as plumbing or electrical service. The total construction value of a garden shed may not exceed one thousand five hundred dollars (\$1,500).
General retailer	“General retailer” means a retail outlet selling a variety of merchandise, including durable, household, variety and perishable and nonperishable foodstuffs to the general public.
Geologic hazard areas	“Geologic hazard areas” means areas having steep slopes; potential, active or previous landslides; or extreme seismic hazard that are defined and regulated by this title.
Geologist	“Geologist” means a professional geologist licensed in the state of Washington under RCW 18.22.
Geotechnical engineer	“Geotechnical engineer” means a professional engineer licensed in the state of Washington, experienced and knowledgeable in the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.
Grading permit	“Grading permit” means the permit required under Chapter 33 of the Uniform Building Code.
Groundwater	“Groundwater” means water in a saturated zone or stratum beneath the surface of land or below a surface water body (WAC 173-200-020).
Guesthouse	“Guesthouse” means an accessory building designed, constructed and used for the purpose of providing temporary living accommodations for guests, or for members of the same family as that occupying the main structure, and containing no kitchen facilities.
Habitable floor	“Habitable floor” means any floor usable for living purposes including working, sleeping, eating, cooking or recreating uses, or any combination of these uses. A floor used only for storage purposes is not a “habitable floor.”
Habitat areas	“Habitat areas” shall include the priority habitats and species (PHS) sites, and locally important habitat (LIH) sites as defined by the UDC.
Half road/ partial road	“Half road” or “partial road” means any public or private road right-of-way or easement which is less than the full required width specified in this title, and which is established so as to permit additional right-of-way or easement to be provided at a later date to complete the full-width roadway.
Hardscape	“Hardscape” means an approved, decorative hard or impervious surface, such as textured concrete, brick, or pavers for use by pedestrians, which may be used to widen sidewalks. Asphalt or plain finished concrete is not an approved hardscape finish.
Hazard tree	“Hazard tree” means any tree which, in the opinion of the responsible official or an expert approved by Clark County (such as, but not limited to, a professional forester or landscape architect), has a strong likelihood of causing a hazard to life or property.
Hazardous substances	“Hazardous materials” or “hazardous substances” means such material as flammable solids; corrosive liquids; radioactive material; oxidizing material, highly toxic material; poisonous gases; reactive material; unstable material; hyperbolic material; pyrophoric material as defined in Article 2 of the Uniform Fire Code; and substances, or mixture of substances, that are an irritant or strong sensitizer or which generate pressure through exposure to heat, decomposition, or other means. Hazardous substances shall also mean hazardous waste as designated in WAC 173-303 as dangerous or extremely hazardous waste. Hazardous substances also means any dangerous waste or extremely hazardous waste as defined in RCW 70.105.010(5) and (6) , or any dangerous or extremely dangerous waste as designated by rule under RCW 70.105; any hazardous substance as defined in RCW 70.105.010(14) or any hazardous substance as defined by rule under RCW 70.105; and any substance that, on effective date of this section, is a hazardous substance under Section 101(14) of the Federal Cleanup Law, 42 U.S.C., Section

	9601(14); petroleum products; and any substance or category of substances including solid waste decomposition products, determined by the Washington Department of Ecology's director to present a threat to human health or the environment if released into the environment. The term hazardous substances does not include any of the following when contained in an underground storage tank from which there is not a release of: crude oil or any fraction thereof or petroleum, if the tank is in compliance with all applicable federal, state, and local laws.
Hazardous waste	"Hazardous waste" means all dangerous and extremely hazardous waste as defined in RCW 70.105.010.
Hazardous waste storage	"Hazardous waste storage" means the holding of dangerous waste for a temporary period as regulated by the State Dangerous Waste Regulations, WAC 173-303.
Hazardous waste treatment	"Hazardous waste treatment" means the physical, chemical or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material recovery, amenable for storage, or reduced in volume.
Hazardous waste treatment and storage facility, off-site	"Hazardous waste treatment and storage facility, off-site" means facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located.
Hazardous waste treatment and storage facility, on-site	"Hazardous waste treatment and storage facility, on-site" means facilities that treat and store waste generated on the same geographically contiguous or bordering property.
Headwaters	"Headwaters" means springs, lakes, ponds, or wetlands providing significant sources of water to a stream.
Health officer	"Health officer" means the Clark County Health Department officer or the officer's authorized designee.
Hearing examiner or examiner	"Hearing examiner" or "examiner" means the Clark County hearing examiner as established by Chapter 2.51.
High intensity land use	"High intensity land use", when referring to the regulation of wetlands, means the following uses of land: roadways, commercial, industrial, and multifamily exceeding four units per parcel.
High-impact use	"High-impact use", when referring to critical aquifer recharge areas, means a business establishment that is regulated due to the probability and/or magnitude of its effects on the environment. For purposes of this chapter, these uses possess certain characteristics posing a substantial potential threat or risk to the quality of groundwater and surface waters within Category I CARAs. High-impact uses shall include, but are not limited to, the following: (a) Landfills; (b) Class V injection wells: (i) Agricultural drainage wells, (ii) Untreated sewage waste disposal wells, (iii) Cesspools, (iv) Industrial process water and disposal wells, and (v) Radioactive waste disposal; (c) Radioactive disposal sites; and (d) Activities in Section 40.410.020(C) that are not connected to public sewer.
Home business	"Home business" means a use conducted within an accessory building, which use is clearly secondary to the use of the parcel for rural residential purposes, or for which is provided in Section 40.260.100.
Home occupation	"Home occupation" means a use conducted entirely within a building, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and as regulated by Section 40.260.100.
Home owners association	"Home owners association" means a nonprofit organization operating under recorded land agreements through which the following take place: A. Each person owning or purchasing a lot in a planned unit or other described land area

	<p>is automatically a member by such ownership or purchase.</p> <p>B. Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.</p> <p>C. Construction and maintenance responsibilities for any undivided property are identified and assigned.</p>
Hospital	"Hospital" means any institution, place, building or agency which maintains and operates organized facilities for twenty (20) or more persons for the diagnosis, care and treatment of human illness, including convalescence and also including care during and after pregnancy; or which maintains and operates organized facilities for any such purpose, and to which persons may be admitted for overnight stay or for a longer period.
Hotel	"Hotel" means a place of lodging that provide sleeping accommodations, restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, and other retail and service shops.
Hydric soil	"Hydric soil" means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Wetlands Delineation Manual.
Hydroperiod	"Hydroperiod" means a seasonal occurrence of flooding and/or soil saturation; it encompasses depth, frequency, duration, and seasonal pattern of inundation.
Hydrophytic vegetation	"Hydrophytic vegetation" means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Wetlands Delineation Manual.
Impervious surface	"Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil. Examples include, but are not limited to, structures, walkways, patios, driveways, carports, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, haul roads and soil surface areas compacted by construction operations, and oiled or macadam surfaces. Open, uncovered stormwater facilities are not considered impervious surfaces.
Infill development	"Infill development" means a development qualifying as infill under Section 40.260.110 of this title.
Intermittent stream	"Intermittent stream" means surface streams with no measurable flow during thirty (30) consecutive days in a normal water year.
Intersection of regional significance	"Intersection of regional significance" means an intersection at which at least three (3) approaches have a comprehensive plan functional classification of collector or higher.
Isolated wetlands	<p>"Isolated wetlands" means those wetlands which:</p> <p>(a) Are outside of and not contiguous to any one hundred (100) year floodplain of a lake, river (other than the Columbia River), or stream; and</p> <p>(b) Have no contiguous hydric soil or hydrophytic vegetation or regularly occurring (at least once every five (5) years) surface water connection between the wetland and any lake, river, or stream.</p>
Kennel	"Kennel" means either a) any premises used to conduct a commercial business involving the breeding, buying, selling or letting dogs for hire, boarding or training dogs, or (b) any premises at which ten (10) or more dogs which are five (5) months old or older are kept for any purpose, including animal shelters, but excluding veterinary clinics and animal hospitals where dogs are kept only for treatment by licensed veterinarians.
Land-disturbing activity	"Land-disturbing activity" means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or existing soil topography. Land-disturbing activities include, but are not limited to, clearing, grading, filling and excavation.
Landfill	"Landfill" means a disposal facility or part of a facility at which solid and demolition waste is permanently placed in or on the land that is not a land-spreading disposal facility (WAC 173-304). In addition, "landfill" means all continuous land and structures and other improvements on the land used for the disposal of solid waste, pursuant to WAC 173-351.

Landscaping	"Landscaping" means not only trees, grass, bushes, shrubs, flowers and garden areas, but also the arrangement of fountains, patios, decks, street furniture, and ornamental concrete or stonework areas and artificial turf or carpeting, but excluding artificial plants, shrubs, bushes, flowers, and materials in movable containers.
Landslide	"Landslide" means down-slope movement of a mass of soil, or rock, including, but not limited to, rock falls, slumps, mud flows, debris flows, torrents, and earth flows.
Landslide protection areas	"Landslide protection areas" means those areas which are to be left permanently undisturbed in a substantially natural state and in which no clearing, grading, filling, building construction or placement or road construction of any kind is allowed except for activities exempted in Section 40.430.030(B).
Large parcel development	"Large parcel development", when referring to stormwater and erosion control, means: <ul style="list-style-type: none"> a. The creation or addition of five thousand (5,000) or more square feet of new impervious area; or b. Land-disturbing activities of one (1) acre or more; provided that the construction of individual detached single-family residences and duplexes shall be treated as small parcel developments.
Large quantity generators	"Large quantity generators", when referring to critical aquifer recharge areas, means those businesses that generate more than two thousand two hundred (2,200) pounds of dangerous waste per month. They accumulate more than two thousand two hundred (2,200) pounds of dangerous waste at any time. They generate and accumulate more than 2.2 pounds of acutely hazardous waste or toxic extremely hazardous waste.
Level of service (LOS) standard	"Level of service standard" or "LOS standard", when referring to transportation facilities, means a quantitative standard for the performance of a transportation corridor or intersection of regional significance.
Locally important habitat	"Locally important habitat" means those areas so designated by Clark County by virtue of containing unusual or unique habitat warranting protection because of qualitative species diversity or habitat system health indicators.
Lot	"Lot" means a designated parcel, tract or area of land established by short plat, subdivision, or as otherwise permitted by this title, to be separately owned, leased, used, developed, or built upon.
Lot area	"Lot area" means the computed area contained within the lot lines; said area to be exclusive of street or alley rights-of-way.
Lot coverage	"Lot coverage" means that percentage of the total lot area covered by structures, including all projections except eaves.
Lot depth	"Lot depth" means the horizontal distance between the midpoint of the front and opposite, usually, the rear lot line. In the case of a corner lot, the depth shall be the length of its longest front lot line.
Lot, flag	"Flag Lot" means a lot or parcel that has access to a road, street or easement, by means of a narrow strip of lot or easement.
Lot line	"Lot line" means any line bounding a lot as herein defined. Lot lines for unusual lot configurations may be determined by the responsible official.
Lot line, front	"Front lot line" means the property line abutting a street, or approved private road or easements. <ul style="list-style-type: none"> • For corner lots, the front lot line is that with the narrowest frontage. When the lot line abutting a street is curved, the front lot line is the chord or straight line connecting the ends of the curve. • For a flag lot, the front lot line is the shortest lot line adjoining the pole portion of the lot, excluding the unbuildable portion of the pole. • For through lots, all lot lines abutting a street or approved private road or easement shall be front lot lines unless vehicular access is prohibited in which case they shall be considered rear lot lines.
Lot line, rear	"Rear lot line" means a lot line not abutting a street which is opposite and most distant from the front lot line.
Lot line, side	"Side lot line" means any lot line which is not a front lot line or a rear lot line.

Lot of record	<p>"Lot of record" means a parcel which was in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created or segregated, or which is otherwise determined to be consistent with the criteria of the UDC. Owners of such lots shall be eligible to apply for building permit or other county development review, pursuant to the county code.</p> <p>Parcels segregated for tax purposes are not lots of record unless they comply with both platting and zoning laws in existence at the time that an application for segregation is received by the county assessor, or are otherwise determined to be consistent with the criteria of the UDC.</p>
Lot width	"Lot width" means the horizontal distance measured at the building setback line between the two (2) opposite side lot lines. Average lot width shall be the average of the front and rear lot lines.
Lot, corner	"Lot, corner" means a lot abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street; such street or parts of the same street forming an interior angle of less than one hundred thirty (130) degrees within the lot lines.
Lot, interior	"Lot, interior" means a lot or parcel of land other than a corner lot.
Lot, through	"Through lot" means an interior lot having a frontage on two (2) streets and/or highways.
Lowest floor	<p>"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 40.420.020(B)(2)(a)(2).</p>
Maintain	"Maintain" means to cause or allow to continue in existence. When the context indicates, the word shall mean to preserve and care for a structure; improve or condition an area to such an extent that it remains attractive, safe, presentable, and carries out the purpose for which it was installed, constructed or required.
Manufactured or mobile home	<p>"Manufactured or mobile home" means a single-family dwelling fabricated on a permanent chassis that is transportable in one (1) or more sections; is designed to be used with or without a permanent foundation when connected to the required facilities; has sleeping, cooking, and plumbing facilities, or any combination thereof; and is intended for permanent human occupancy or is being used for residential purposes. Although Washington Administrative Code (WAC) separately defines and distinguishes between "manufactured home" and "mobile home" according to federal or state construction codes for such dwellings, the term "mobile home" shall include "manufactured home" for regulatory purposes under this title. The term shall not include "recreation vehicle," "commercial coach," "camping vehicle," "travel trailer," "park trailer," "tip-out," and any other similar vehicle which is not designed and constructed for residential purposes for use as a single-family dwelling and is not otherwise labeled as a manufactured or mobile home under any federal or state law.</p> <p>For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.</p>
Market	"Market" means a retail outlet primarily selling perishable and nonperishable grocery items with only incidental sales of non-grocery items.
May	"May", as used in the UDC, is permissive.
Median	"Median", when referring to streets and roads, means that portion of a divided roadway separating the traveled way of traffic moving in opposing directions.
Medium quantity generators	"Medium quantity generators", when referring to critical aquifer recharge areas, means those businesses that generate more than two hundred twenty (220) pounds, but less than two thousand two hundred (2,200) pounds of dangerous waste per month. They are limited to the accumulation of less than two thousand two hundred (2,200) pounds of dangerous waste at any time. They are limited to the generation of, and accumulation of,

	less than 2.2 pounds of acutely hazardous waste or toxic extremely hazardous waste.
Minimally necessary	"Minimally necessary" means the amount or extent needed to carry out a particular task, and no more.
Mini-storage warehouse	"Mini-storage warehouse", "mini-storage" and "mini-warehouse" mean individual storage units located within a totally enclosed structure used for the storage of non-flammable or non-explosive materials.
Mitigation	"Mitigation", when referring to transportation facilities, means the avoidance or minimization of a proposed development's impact upon an affected transportation corridor or intersection of regional significance through such means as limiting or altering the proposed uses, intensities, or design of the development, or by compensating for the impact by replacing, enhancing, or providing transportation system improvements which provide additional capacity.
Mitigation	"Mitigation", when referring to wetlands, means compensating for wetland impacts such that no overall net loss in wetland acreage and functions occurs.
Mobile Home	(see "Manufactured home")
Mobile Home Park	"Mobile Home Park" means an area designed, equipped, and maintained for the parking of two (2) or more mobile homes being used as living quarters for humans.
Mobile Home Space	"Mobile Home Space" means an area of land for placement of a single mobile home, and accessory structures, within a mobile home park.
Modeling	"Modeling ", when referring to transportation facilities, means a computerized projection of future traffic volumes and other traffic characteristics, based on land use designations.
Motel	"Motel" means a place of lodging that provides sleeping accommodations and often a restaurant. Motels generally offer free on-site parking and provide little or no meeting space.
Motor vehicle dealer	"Motor vehicle dealer" means a retail outlet selling autos, trucks, boats, trailers, recreational vehicles and other equipment used for transportation, except motorcycles, to the general public.
Native	"Native," when referring to plants or plant communities, means those species or communities which are indigenous to the watershed, including extirpated species.
Natural location	"Natural location", when referring to surface water, means the location and elevation of those channels, swales, and other non-manmade conveyance systems as defined by the first documented topographic contours existing for the development site, either from maps or photographs.
Neighborhood association	"Neighborhood association" means an organized group of citizens from a geographical area of the county forming an association recognized by the county as meeting the administrative guidelines established by the board.
Nonconforming use	"Nonconforming use" means a use of land, building, or structure which use does not conform with the use regulations imposed by this title or such amendment thereto.
Non-conversion	"Non-conversion", when referring to forest practices, means any Class II, Class III, or Class IV special forest practice as defined by WAC 222-16-050 where land is not being converted to a non-forestry use. Examples include but are not limited to the cutting and removal of trees and the replanting for commercial forest production.
Non-development clearing	"Non-development clearing" means, for the purposes of the habitat protection standards, proposed activities which do not require county land division, building, grading or other review but involve the clearing or alteration of vegetation within designated habitat areas.
Nonexempt tree or vegetation	"Nonexempt tree or vegetation" means vegetation that does not meet the definition of exempt tree or vegetation.
Non-forestry use	"Non-forestry use" means an active use of land which is incompatible with timber growing.
Normal water year	"Normal water year" means a twelve (12) month period (October 1st--September 30th) with average precipitation based upon data from the past fifty (50) years.
NPDES	"NPDES" means the National Pollutant Discharge Elimination System.
Nuisance	"Nuisance" shall include those definitions contained in RCW 9.66 and RCW 7.48. Any violation of this title shall constitute a nuisance, per se.

Nuisance vegetation	"Nuisance vegetation" means noxious weeds such as tansy ragwort, purple loosestrife, poison hemlock, Eurasian milfoil, non-native milfoils, or other plants listed as noxious by the county pursuant to CCC Section 7.14.070; or any plant which when established is highly destructive, competitive or difficult to control by manual, mechanical or chemical practices.
Nursing home or rest home	"Nursing home" or "rest home" means any building where six (6) or more persons are housed or lodged, and furnished with meals and nursing care for hire.
Obligate plants	"Obligate plants" mean plants that almost always (ninety-nine percent (99%) probability) occur in wetlands under natural conditions. Such groupings are more fully defined in the Wetlands Delineation Manual.
Official controls	"Official controls" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of the county, and are the means of translating into regulations and ordinances, all or any part of the general objectives of the comprehensive plan. Such official controls may include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and adoption of detailed maps.
Open space/commons	"Open space/commons", when referring to density transfer, means an area left open and undeveloped, for use by the public but is not a formal park or recreation area managed or owned by the county. The land shall be identified as a separate tract and shall be managed and maintained in perpetuity for the intended use of the homeowners of the relevant development.
Open space, usable	"Usable open space" means an open area that is not covered in impervious surface and that exceeds four hundred (400) square feet with all dimensions a minimum of twenty (20) feet.
Open water	"Open water," when referring to wetlands and when not specifically defined by the wetland rating criteria, means a proportion of open water to vegetative cover equal to twenty-five percent (25%) to seventy-five percent (75%) of the total wetland area during a majority of a normal water year.
Operating level	"Operating level", when referring to transportation facilities, means the performance of a transportation corridor or intersection of regional significance, pursuant to Section 40.350.020(F).
Ordinance	"Ordinance" means the ordinance, resolution, or other procedure used by the county to adopt regulatory requirements.
Ordinary high water mark	"Ordinary high water mark" means the point on the sides of streams or lakes which is historically or normally at water's edge, as identified by a visible change in vegetation and/or soil.
Owner	"Owner" means any person having property rights as a fee owner or contract purchaser, or one duly authorized by the power of attorney to represent the owner. For the purposes of this title, in terms of violations and binding agreements between the county and the owner, "owner" shall also mean a leaseholder, tenant, or person in possession or control of the premises or property at the time of agreement, violations of agreement, or the provisions of this title. For the purpose of processing an application for a land use approval or permit under this title, where such application or permit must be filed by an owner, the term "owner" also includes a governmental entity contemplating acquisition of a parcel for a use which would require such permit or approval. Where property is proposed to be developed pursuant to an easement right, "owner" means the person who is the holder of the easement.
Parking area, public	"Public parking area" means an open area other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free of charge, or as an accommodation for clients or customers.
Parking space	"Parking space" shall be a permanently surfaced and marked area for the parking of a motor vehicle-excluding paved area necessary for access.
Party of record	"Party of record" means all persons, agencies or organizations who have submitted written comments in response to a notice of application, made oral comments in a formal public

	hearing conducted on the application, or requested in writing to be a "party of record." In the case of Type I decisions, the party of record shall include the applicant and any person who files a written request prior to the issuance of the decision. In the case of Type II decisions, the party of record shall include the applicant, and any person submitting to the responsible official written testimony, or a written request to be a "party of record," that is specific to a particular application prior to the issuance of the decision. In the case of Type III decisions, the party of record shall include the applicant and persons submitting written testimony before, during, or prior to the close of a public hearing; providing oral testimony at a public hearing; signing the sign-in sheet noting the person's name, address and the subject matter in which they are interested; or by submitting a written request to the responsible official to be a "party of record," that is specific to a particular application prior to the close of the subject public hearing. Notwithstanding any of the foregoing, no person shall be a party of record who has not furnished an accurate post office mailing address.
Peak discharge	"Peak discharge" means the maximum stormwater runoff rate in cubic feet per second determined for the design storm.
Peak hour	"Peak hour", when referring to transportation facilities, means the consecutive sixty (60) minute period during a twenty-four (24) hour period which experiences the highest sum of traffic volumes, as determined by the Public Works director.
Pedestrian area	"Pedestrian area" means any sidewalk, walking trail, courtyard, plaza or other area intended primarily for use by pedestrians.
Pedestrian plaza	"Pedestrian plaza" means an area devoted solely to pedestrians that is a minimum of ten (10) feet in depth and width with a minimum size of six hundred fifty (650) square feet that is at least fifty percent (50%) paved with colored, textured concrete, brick pavers or other suitable surface and includes sitting areas and other pedestrian amenities.
Permittee	"Permittee" shall be the person who is proposing to use or who is using the land pursuant to any permit required herein.
Planning commission	"Planning commission" means the Planning Commission of Clark County, Washington.
Plans, construction or improvement	"Construction plans" or "improvement plans" means the technical drawings of the design and proposed construction of such items as streets, water and sewer systems, and drainage detention systems.
Plat	"Plat" means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys, or other divisions and dedications.
Plat, final	"Final plat" means the final drawing of the subdivision or short subdivision and dedication, prepared for filing for record with the county auditor and containing all elements and requirements set forth in the UDC and in State law.
Plat, preliminary	"Preliminary plat" means a neat and approximate drawing of either a proposed subdivision or short subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision or short subdivision, and other elements of a plat, subdivision, short plat, or short subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.
Plat, short	"Short plat" means a division or re-division of land into four (4) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
Platting	"Platting" means the review process conducted by Clark County on applications for short plat or subdivision approval. All lots created through the platting process are lots of record as specified in this title.
Potential number of lots	"Potential number of lots", when referring to a transportation facility, means the maximum number of lots allowed by current or proposed zoning which may be served by a road or driveway or extension thereof.
Premises	"Premises" means a tract or parcel of land with or without habitable buildings.
Priority habitat and species (PHS)	"Priority habitat and species" (PHS) means the official definitions and all area classifications by that name used by the Washington Department of Fish and Wildlife (WDFW). Known local categories of priority habitat as defined by WDFW include

	riparian habitat, oak woodlands, old growth/mature forest, urban natural open space, talus rock, and caves.
Priority species sites	"Priority species sites" include all areas within one thousand (1,000) feet of state listed endangered, threatened, sensitive or candidate species.
Professional forester	"Professional forester" means a person with academic and field experience in forestry or urban forestry. This may include arborists certified by the International Society of Arboriculture, foresters with a degree in forestry from a Society of American Foresters (SAF) accredited forestry school, member of the Washington Association of Consulting Foresters, or urban foresters with a degree in urban forestry.
Professional offices	"Professional offices" means businesses normally conducted in an office environment such as accounting, architecture, law, and other such uses with no retail sales to the public.
Project	"Project" means the proposed action of a permit application or an approval which requires a drainage review.
Project engineer	"Project engineer", when referring to stormwater, means a registered professional engineer, licensed in the state of Washington, experienced and knowledgeable in the practice of civil engineering related to stormwater runoff control and treatment, who is responsible for design and the preparation of stormwater plans and the erosion control plans.
Public facilities	"Public facilities" means facilities which are owned, operated, and maintained by a public agency.
Public road	"Public road" means a road maintained by Clark County, the Washington Department of Transportation, or other governmental jurisdiction.
Public sewer	"Public sewer" means extension of a public sewer system operated by a public entity or, where such extension is impractical, connection to an alternative public sewer system operated by the designated public sewer purveyor.
Public Works Director	"Public Works Director" means the director of the Clark County Department of Public Works or the director's authorized designee.
Qualified groundwater professional	"Qualified groundwater professional" means a hydrogeologist, geologist, engineer, or other scientist who meets all the following criteria: (a) Has received a baccalaureate or post-graduate degree in the natural sciences or engineering; and (b) Has sufficient training and experience in groundwater hydrology and related fields as may be demonstrated by state registration, profession certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding groundwater vulnerability.
Quick vehicle servicing	"Quick vehicle servicing" means a service outlet selling and installing minor motor vehicle requirements such as lube-oil-filter changes, tire changes, quick tune-ups and other services that require less than one hour to complete, are generally performed with owner remaining in vehicle and involving no overnight storage of vehicles.
Reasonably funded	"Reasonably funded", when referring to transportation facilities, means a mitigation measure or other transportation system improvement that is designated as reasonably funded in the most recent recently adopted version of the county's transportation improvement program, or is designated by the board as being reasonably funded.
Recreation space	"Recreation space" means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreation space. Examples of usable recreation space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.
Recreational vehicle	"Recreational Vehicle" means a vehicle that is 1. Built on a single chassis; 2. 400 square feet or less when measured at the largest horizontal projection; 3. Designed to be self-propelled or permanently towable by a light duty vehicle; and 4. Designed primarily not for use as a permanent dwelling but as temporary living

	quarter for recreation, camping, travel or seasonal use.
Recyclable materials facility	"Recyclable materials facility" means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building; but not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operative conditions, or salvaged materials incidental to manufacturing operations.
Recyclable materials facility -- automotive	"Recyclable materials facility -- automotive" means the dismantling or disassembling of motor vehicles or mobile homes, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts. Three (3) or more dismantled, obsolete, or inoperable motor vehicles on one (1) lot shall constitute an automotive recyclable materials facility.
Redevelopment	"Redevelopment", when referring to stormwater, means on an already developed parcel, the creation or addition of impervious surfaces, structural development including construction, installation or expansion of a building or other structure, and/or replacement of impervious surface (excluding the replacement of roofs) that is not part of a routine maintenance activity; and land-disturbing activities associated with structural or impervious redevelopment.
Regional facility	"Regional facility", when referring to stormwater, means a facility designed to treat and control stormwater runoff from a contributing drainage area of at least forty (40) acres.
Registered soil scientist	"Registered soil scientist" means a professional soil scientist registered with the American Registry of Certified Professionals in Agronomy, Crops and Soils, experienced and knowledgeable in the practice of pedology related to soil survey, who is responsible for design and preparation of soils maps, related soil groups, and identifying soil factors for construction engineering.
Reserved capacity	"Reserved capacity", when referring to transportation facilities, means the capacity of a transportation corridor or intersection of regional significance used to accommodate approved but unbuilt developments.
Residential care facility	"Residential care facility" means an establishment operated with twenty-four (24) hour supervision for the purpose of serving eleven (11) or more persons of any age who, by reason of their circumstances or conditions, require care; for example, work release programs, alcoholic treatment programs, drug rehabilitation centers, mental health programs, etc. This definition does not include prisons or conventional correctional institutions involving twenty-four (24) hour locked incarceration with little or no freedom of movement. "Care" is defined as room and board and the provision of a planned treatment program; "planned treatment" means a previously determined program of counseling, therapy or other rehabilitative social service.
Residential care home	"Residential care home" means an establishment operated with twenty-four (24) hour supervision for the purpose of serving not more than ten (10) persons of any age who, by reason of their circumstances or conditions, require care while living as a single housekeeping unit in a dwelling unit; for example, work release programs, alcoholic treatment programs, drug rehabilitation centers, mental health programs, etc. This definition does not include prisons or conventional correctional institutions involving twenty-four (24) hour locked incarceration with little or no freedom of movement. This definition and corresponding requirements under county code shall not apply to adult foster homes as defined in RCW 70.128. "Care" is defined as room and board and the provision of a planned treatment program; "planned treatment" means a previously determined program of counseling, therapy or other rehabilitative social service.
Responsible official	"Responsible official" means the employee of Clark County responsible for the implementation and enforcement of this title pursuant to Section 40.100.050.
Restoration	"Restoration", when referring to habitat areas, means the activities undertaken to re-

	establish the natural structure or function of habitat area or portion thereof, such as replanting of adequate and appropriate vegetation, soil amendment, or reconstruction of stream banks.
Retirement housing facility	"Retirement housing facility" means a facility established for the purpose of providing housing for six (6) or more retirement-age citizens in a supportive living environment, which may include provision of food, household maintenance, recreation activities and health care facilities, including an infirmary, with a maximum of ten (10) beds as licensed by the state of Washington.
Review authority	"Review authority" means the County Engineer, the Public Works director, the responsible official, the county's hearing examiner, the planning commission, or the board, whoever is authorized to approve an application.
Right-of-Way	"Right-of-Way" means a general term denoting public land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes.
Riparian zone	"Riparian zone" means areas encompassing riparian priority habitat, a subset of priority habitat and as defined by the Washington Department of Fish and Wildlife (WDFW), extending outward from the ordinary high water mark of waters to the one hundred (100) year floodplain or the following distances if greater: Definitions of the Type 1 through 5 waters are found in WAC 222-16-030: (a) DNR Type 1 and 2 waters, two hundred fifty (250) feet; (b) DNR Type 3 waters, two hundred (200) feet; (c) DNR Type 4 and 5 waters, one hundred fifty (150) feet. Erosion gullies or rills, and streams which are man-made, less than six (6) inches wide or not having a defined bed and/or bank are not included.
Road or street	"Road" or "street" means all roads, streets, highways, freeways, easements, and public rights-of-way used for or designed for vehicular access or use, including private roads.
Road, private	"Private road" means a road not maintained for public use by Clark County, the Washington Department of Transportation, or other governmental jurisdiction.
Road, rural	"Rural road" means a road located within the rural area of Clark County.
Road, urban	"Urban road" means a road located within an urban area of Clark County.
Roadway	"Roadway" means the improved portion of an easement or right-of-way, excluding curbs, sidewalks, ditches, multi-use pathways and walkways.
Roof downspout systems	"Roof downspout systems" mean disposal systems that infiltrate stormwater runoff from roofs into the ground and meet the requirements stated in Section 40.380.040(4) for these systems.
Rural or rural area	"Rural" or "Rural area" means land not located within an urban area as designated in the Clark County comprehensive plan.
Rural center	"Rural center" means an area identified as such on the rural and natural resources lands map, as amended, such as Amboy, Brush Prairie, Chelatchie Prairie, Dollars Corner, Fargher Lake, Hockinson, and Meadow Glade.
School modular or portable	"School modular or portable" means a factory-built structure that is used for educational purposes or to support educational activities.
Scrub-shrub wetland	"Scrub-shrub wetland" means a wetland with at least thirty percent (30%) of its surface area covered by woody vegetation less than twenty (20) feet in height as the uppermost strata.
Segregation	"Segregation", when referring to the division of land, means any division of land undertaken by the County Assessor for taxation purposes.
SEPA Rules	"SEPA Rules" means WAC 197-1 adopted by the Washington Department of Ecology.
Servants' quarters	"Servants' quarters" means a secondary dwelling or apartment without kitchen facilities designed for and used only by persons or the families of persons regularly employed on the property.
Setback	"Setback" means the minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way, to the nearest vertical wall or other element of a building or structure as defined herein.
Setback, front	"Front setback" means any required open space extending the full width of the lot between

	a building and the front lot line, unoccupied and unobstructed from the ground upward, except as specified elsewhere in this title.
Setback, rear	"Rear setback" means any required open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward, except as specified elsewhere in this title.
Setback, side	"Side setback" means any required open space extending from the front setback to the rear setback between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward, except as specified elsewhere in this title.
Shall	"Shall" is mandatory.
Shorelines of the county	"Shorelines of the county" means those streams and lakes designated for regulatory purposes under the Shoreline Management Act (RCW 90.58), together with adjacent land areas generally situated within two hundred (200) feet of the water body, but also including portions of associated flood plain area.
Sidewalk	"Sidewalk" means a pedestrian-only facility within a public right-of-way, public easement containing a street or abutting a private road.
Sight-obscuring, fence or hedge	"Sight-obscuring, fence or hedge" means a fence or evergreen planting, or combination of fence and planting arranged in such a way as to obstruct vision.
Silviculture	"Silviculture" means the use of land for producing and caring for a forest, including the harvesting of timber.
Single purpose specialty retailer	"Single purpose/specialty retailer" means a retail outlet selling a single category of goods, such as sporting, clothing, shoes, etc., to the general public.
Site	"Site" means that portion of property which is directly subject to development. For the purposes of determining public notice, site means the lot proposed for development and all contiguous lots that are owned by the same person, partnership, association or corporation as the lot, including lots that are in common ownership, but are separated by a public or private right-of-way or easement.
Site plan	"Site plan" means a plan prepared to scale, showing accurately and with complete dimensions, all proposed and existing buildings, landscaping, open space, structures and features on abutting properties, and parking proposed for a specific parcel of land.
Slope	"Slope" means an inclined ground surface, the inclination of which is expressed as a percent ratio of vertical distance to horizontal distance (v/h).
Small parcel development	"Small parcel development", when referring to stormwater and erosion control, means: <ul style="list-style-type: none"> a. Construction of individual, detached, single-family residences and duplexes; or b. Creation or addition of less than five thousand (5,000) square feet of impervious surface area; and c. Land-disturbing activities of less than one (1) acre.
Small residential project	"Small residential project", when referring to stormwater and erosion control, means a single-family residential short plat or subdivision of four (4) lots or less.
Snags	"Snags" means dead, dying or defective trees serving as an important structural element of wildlife habitat.
Solid waste	"Solid waste" means all putrescible and non-putrescible solid and semi-solid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction waste, abandoned vehicles or parts thereof, and discarded commodities. This includes all liquid, solid and semi-solid materials that are not the primary products of public, private, industrial, commercial, mining, and agricultural operations. Solid waste includes, but is not limited to, sludge from wastewater treatment plants and seepage, septic tanks, wood waste, dangerous waste, and problem wastes (WAC 173-304-100).
Source control BMP	"Source control BMP" means a BMP that is intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, constructing roofs over storage and working areas, and directing wash water and similar discharges to the sanitary sewer or a dead end sump.
Special provisions	"Special provisions", when referring to transportation facilities, means road construction requirements peculiar to a specific project and which are not otherwise thoroughly or satisfactorily detailed and set forth in the standard specifications.

Standard Details Manual	"Standard Details Manual" or "Clark County Standard Details Manual" means the manual that provides standard details to be used in the design of all projects within Clark County. The manual contains Clark County's Transportation drawings of typical roadway sections for urban, industrial, and rural development, roadway landscape planting materials tables and planting details. The manual also includes typical engineering standard details for erosion control measures and storm drainage design.
Standard plans	"Standard plans", when referring to transportation facilities, means those typical sections and details adopted for road construction in Section 40.350.030(C)(3).
Standard specifications	"Standard specifications", when referring to transportation facilities, means those specifications adopted for road construction in Section 40.350.030(C)(4).
Start of construction	"Start of construction" includes substantial improvement, and means the date the building permit was issued; provided, the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or other erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
State Environmental Policy Act (SEPA)	"SEPA" means the State Environmental Policy Act (RCW 43.21C), its implementing rules (WAC 197-11), and Chapter 40.570 of the UDC.
State highway of regional significance	"State highway of regional significance" means a state of Washington owned and maintained roadway or intersection not designated by the state as a highway of statewide significance.
Stormwater facility	"Stormwater facility" means the natural or constructed components of a stormwater drainage system, designed and constructed to perform a particular function, or multiple functions. Stormwater facilities include, but are not limited to, pipes, swales, ditches, open channels, culverts, storage basins, infiltration devices, catch basins, manholes, dry wells, oil/water separators, and sediment basins.
Stormwater utility	"Stormwater utility" means a publicly owned utility responsible for stormwater control in a basin and established pursuant to RCW 36.89 or 36.94 and in accordance with the BMP manual.
Story	"Story", when referring to structures, means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under-floor space is more than six (6) feet above grade for more than fifty percent (50%) of the total perimeter or is more than twelve (12) feet above grade at any point, such basement or unused under-floor space shall be considered as a story.
Stream or Streams	"Stream" or "streams" means those areas where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetative litter or loosely rooted vegetation by the action of moving water. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, stormwater runoff devices or other entirely artificial watercourses unless they are used to convey streams naturally occurring prior to construction. Those topographic features that resemble streams but have no defined channels (i.e., swales) shall be considered streams when hydrologic and hydraulic analyses done pursuant to a development proposal predict formation of a defined channel after development.
Stream bank stabilization	"Stream bank stabilization" means those approved bioengineered projects. The projects can include both passive and active types of methods for stabilizing the stream bank.

Street	"Street" – see "road."
Street tree	"Street tree" shall be defined as a single-stem deciduous tree with a central leader that can be used as a landscape element for buffering/screening along front, side, and rear setbacks. Unique site features shall determine the most appropriate street tree to use. A street tree shall be broad-branched and characteristically have lower branches that are able to be removed to meet clearance standards.
Structure	"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
Structure, principal	"Principal Structure" means the main building on a lot to which all other buildings are accessory.
Structure, residential	"Residential structure" means a structure designed, built or inhabited under circumstances meeting the classification of Group R or similar residential occupancy under the Uniform Building Code as adopted under Title 14 of the Clark County Code.
Subdivision	"Subdivision" means the division or re-division of land into five (5) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
Subject property	"Subject property" means the entire lot or parcel, or contiguous combination thereof, on which a development activity is proposed.
Sub-regional facility	"Sub-regional facility", when referring to stormwater, means a facility designed to treat and control stormwater runoff from more than one (1) development in a contributing drainage area of less than forty (40) acres.
Substantial completion	"Substantial completion", when referring to transportation facilities, means that all public or private facilities are constructed, functional and operational, even though they may not be fully completed nor provisionally accepted, including sewer and water systems, storm drainage facilities and street improvements (including construction of the initial lift of asphalt or other approved surfacing), but not necessarily including sidewalks, or electrical, gas, telephone or cable services; and that the project is in full compliance with the erosion control ordinance.
Substantial damage	"Substantial damage", when referring to flooding and flood hazard areas, means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
Substantial improvement	<p>"Substantial improvement" when referring to flooding and flood hazard areas, means the cost of any repair, reconstruction, or improvement of a structure equal to or greater than fifty percent (50%) of its market value of the structure either:</p> <ol style="list-style-type: none"> 1. Before the improvement or repair is started; or 2. If the structure has been damaged and is being restored, before the damage occurred. <p>For the purpose of this definition, 'substantial improvement' is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Substantial improvement does not include:</p> <ol style="list-style-type: none"> 1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by a code enforcement official and which are the minimum necessary to assure safe living conditions; or 2. Any alteration of a structure listed on the National Register of Historic Places or the Clark County Heritage Register.
Surface mining operations	"Surface mining operations" means mining of rock, stone, gravel, sand, earth and minerals.
Traffic calming devices	"Traffic calming devices" means physical devices within the roadway designed to manage traffic speeds or which disperse traffic such as speed bumps/humps and traffic circles.
Traffic calming measures	"Traffic calming measures" means street design features intended to manage traffic speeds or which disperse traffic such as "T" intersection, street trees, curvilinear streets, or entry treatments.

Transient labor (Seasonal labor)	"Transient labor" or "seasonal labor" means any person who performs forestry- or agricultural-related seasonal or temporary labor not exceeding nine (9) months in duration.
Transportation corridor	"Transportation corridor" or "corridor" means an identified system of road(s) and street(s), which are consistently utilized by vehicular traffic for travel along an identified circulation pattern.
Transportation impact study	"Transportation impact study" means a study done by a licensed engineer in accordance with Section 40.350.020.
Transportation improvement program	"Transportation improvement program" means the current six (6) year financing plan for roads adopted by the county pursuant to RCW 36.81.121, or similar plan adopted by the Washington Department of Transportation or cities for their highway and street facilities.
Transportation terminal	"Transportation terminal" means a facility for the transfer, pickup or discharge of people or goods without the long-term storage of such items.
Travel trailer	"Travel trailer" means any transportable trailer available for recreational use, forty (40) feet or less in length or eight (8) feet or less in width, built on a chassis and equipped with wheels.
Underground storage tank (UST)	<p>"Underground storage tank" or "UST" means:</p> <ul style="list-style-type: none"> (a) An underground storage tank and connected underground piping as defined in the rules adopted under RCW 90.76; or means any one or combination of tanks (including underground pipes connected thereto) that are used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is ten percent (10%) or more beneath the surface of the ground. This term does not include any of the exempt UST systems specified in WAC 173-360-110(2), or any piping connected thereto. (b) Exemptions. The following UST systems, including any piping connected thereto, are exempt from the requirement of this chapter: <ul style="list-style-type: none"> (i) Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances; (ii) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act; (iii) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks; (iv) Any UST system whose capacity is one hundred ten (110) gallons or less; (v) Any UST system that contains a de minimis concentration of regulated substances; (vi) Any emergency spill or overflow containment UST system that is expeditiously emptied after use; (vii) Farm or residential UST systems of one thousand one hundred (1,100) gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale); (viii) UST systems used for storing heating oil for consumptive use on the premises where stored; except that such systems which store in excess of one thousand one hundred (1,100) gallons are subject to the release reporting requirements of WAC 173-360-372; (ix) Septic tanks; (x) Any pipeline facility (including gathering lines) regulated under: <ul style="list-style-type: none"> (A) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.), or (B) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.), or (C) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in subsection (x)(A) or (B) of this definition;

	<ul style="list-style-type: none"> (xi) Surface impoundments, pits, ponds, or lagoons; (xii) Stormwater or wastewater collection systems; (xiii) Flow-through process tanks; (xiv) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or (xv) Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.
Uniform Building Code	"Uniform Building Code" means the published Uniform Building Code as adopted by Clark County.
Urban or Urban area	"Urban" or "Urban area" means land located within an urban area or growth boundary as designated in the comprehensive plan.
Urban growth area (UGA)	"UGA" means an urban growth area designated in the comprehensive plan.
Use	"Use" means an activity or purpose for which land or premises, or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.
Use, conditional	"Conditional use" means a use specified by this title, which is permitted when authorized by the review authority and subject to certain conditions.
Use, permitted	"Permitted use" means a use allowed as a matter of right within certain land use districts; provided, that such use is in accordance with the requirements of the particular district and general conditions stated elsewhere in this title, and other applicable provisions of the county code.
Use, prohibited	"Prohibited use" means any use which is not specifically enumerated or interpreted as allowable in that zoning district or which is specifically listed as prohibited.
Utility substation facilities	<p>"Utility substation facilities" means a subsidiary or branch facility utilizing aboveground structures which is necessary to provide or facilitate distribution, transmission or metering of water, gas, sewage, radio signals and/or electric energy. Such facilities have a local impact on surrounding properties and may consist of, but are not limited to the following:</p> <ul style="list-style-type: none"> A. Water, gas and electrical distribution or metering sites; B. Water or sewage pumping stations; C. Water towers and reservoirs; D. Public wells and any accessory treatment facilities; E. Transmission towers and accessory equipment to provide radio and television service; and F. Telephone switching facilities.
Vegetation	"Vegetation" means any and all plant life.
Vegetation removal	"Vegetation removal", when referring to stormwater or erosion control regulations, means the removal of ground cover, trees, or root systems that bind the soil.
Vehicle repair	"Vehicle repair" means upholstering of; replacement of parts for; motor service; rebuilding or reconditioning of engines, motor vehicles, or trailers; and overall painting or paint shop.
Vehicle towing and storage services	"Vehicle towing and storage services" means a service outlet providing vehicle towing and/or storage.
Visual obstruction	"Visual obstruction" means any fence, hedge, tree, shrub, device, wall, or structure exceeding three and one-half (3½) feet in height above the elevation of the top of the curb, as determined by the responsible official; and so located at a street or alley intersection as to dangerously limit the visibility of persons in motor vehicles on said streets or alleys. This does not include trees kept trimmed or branches to a minimum height of at least six (6) feet.
Walkway	"Walkway" means a facility dedicated to the county for pedestrian use to or through a parcel for the use of the general public which is not generally adjacent to the roadway.
Water-dependent	"Water-dependent" means a use or a portion of a use which requires direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of its operations.

Watershed	"Watershed" means an area draining to a single surface water system as shown on the Clark County wetland watershed map adopted hereby.
Wetland classes and subclasses	"Wetland classes and subclasses" means descriptive classes of the wetlands taxonomic classification system of the United States Fish and Wildlife Service (Cowardin, et al. 1978).
Wetlands	"Wetlands" shall mean those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. "Wetlands" generally include swamps, marshes, bogs and similar areas. "Wetlands" also include streams as defined by Chapter 40.450. "Wetlands" may also include lands within the jurisdiction of the Shoreline Management Act.
Wetlands Delineation Manual	"Wetlands Delineation Manual" means the Corps of Engineers Wetlands Delineation Manual (Technical Report Y-87-1) dated January 1987.
Wildland urban interface/intermix (WUI)	"Wildland urban interface/intermix (WUI)" means those geographic areas of the county shown as "wildland urban interface/intermix" areas on a map adopted by Section 15.13.030 and as hereafter amended.
Window	"Window", when referring to utility installation, means a rectangular opening cut in the pavement to allow potholing.
Wireless communications facility	Wireless communications facility means any unstaffed facility for the transmission and/or reception of radio frequency (RF) signals for the provision of wireless communications as defined in 40.260.240.
Zone, zone district or zoning district	"Zone", "zone district" or "zoning district" means a section or sections of Clark County within which the standards governing the use of land, buildings, and premises are uniform, as provided in this title.